

APR. 15. 2008 3:20PM NAVTEQ CORP

NO. 664 P. 7

Appl. No. 10/721,660
Amdt. dated April 15, 2008
Reply to office action of January 16, 2008

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REMARKS

This is in response to the Office Action mailed on January 16, 2008. The Office Action rejected Applicants' Claims 56-63 under USC 101 as directed to non-statutory subject matter. Claims 47-61, 64-65 were rejected as being anticipated by EP 0943894A2 ("Livshutz"). Claims 62-63 were rejected as being obvious in view of the combination of Livshutz and US Patent No. 6,707,421 ("Drury").

Applicants have amended Claims 47, 56, 58, 60-62 and 64. Applicants respectfully request the Examiner to reconsider the present application in view of the following remarks. Applicants submit that all pending claims are in condition for allowance.

Rejection under 35 U.S.C. 101

Applicants have amended the independent Claims 56 such that the invention recited by the claim falls within one of the enumerated statutory categories. Specifically, independent Claim 56 was amended to include a server. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Rejection under 35 U.S.C. 102(b)

Independent Claim 47

Claim 47 was rejected as being anticipated by the Livshutz¹ patent. The Livshutz patent does not anticipate Claim 47 because it does not disclose all of the recited claim elements. Claim 47 recites calculating a route; after calculating the route, using the calculated route to identify the geographic sub-areas that are crossed by the calculated route; identifying the parcels that contain the data that represent the geographic features encompassed in the geographic sub-areas that the route passes through and providing to a local memory from the repository those identified parcels.

The Livshutz patent discloses a geographic database with subsets of geographic data for different navigation system functions, for example, routing data for route calculation. (see

¹ The Livshutz patent is assigned to the assignee of the present application, NAVTEQ North America, LLC. To the extent permitted by law, any statements in the present Amendment regarding the disclosure of the Livshutz patent should not be used to restrict the scope of claims in the Livshutz patent.

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Livshutz: paragraph 0031). Although Livshutz discloses the route calculation application and providing routing parcels for performing the route calculation function, Livshutz does not disclose or suggest using the calculated route to identify geographic sub-areas and parcels corresponding to the sub-areas which are then provided to the local memory. That is, after the route is calculated, Livshutz discloses spatially accessing data necessary for navigation functions. (see Livshutz: paragraph 0039). Livshutz does not disclose using the calculated route to provide the parcels containing data that represent the geographic features encompassed in the geographic sub-areas that the route passes through.

Additionally, the office action notes that "it would be desirable to load into memory only those data that are need to perform a desired function." (see: Office Action, page 5). Applicants respectfully point out that the claimed invention teaches away from this reasoning provided in the Office Action. Rather, the claim invention uses the calculated route to determine what data (parcels) to load into local memory. Because the parcels contain the data that represent the geographic features encompassed in the geographic sub-areas that the route passes through, the claimed invention provides data to local memory that includes data not needed to perform the desired function. That is, it provides all data for the sub-area and not just specific items of data for use with the desired function.

Accordingly, Livshutz does not disclose or suggest all of the recited claim elements, and Applicants request that the rejection be withdrawn.

Independent Claim 56

Claim 56 recites a geographic data providing application that uses the calculated route to identify the geographic sub-areas that are crossed by the calculated route and provides the parcels that contain the data that represent the geographic features encompassed in the geographic sub-areas the route passes through. Claim 56 is not anticipated by Livshultz for similar reasons as discussed above in conjunction with Claim 47.

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Independent Claim 64

Claim 64 recites calculating a route; after calculating the route, identifying the geographic sub-areas that the calculated route passes through; and providing to a local memory from the repository the parcels that contain data that represent the geographic features encompassed in the geographic sub-areas located along the route. Claim 64 is not anticipated by Livshultz for similar reasons as discussed above in conjunction with Claim 47.

Conclusion

With the present response, all the issues in the Office Action mailed January 16, 2008 have been addressed. Applicant submits that the present application has been placed in condition for allowance. If any issues remain, the Examiner is requested to call the undersigned at the telephone number indicated below.

Respectfully submitted,



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